

**Peter T. King, Ranking Member  
Committee on Homeland Security  
House of Representatives  
Testimony for the Record  
October 15, 2007**

Chairman Leibell and other distinguished Members of the New York State Senate Standing Committee on Veterans, Homeland Security and Military Affairs, I would like to thank you for the opportunity to offer my views on the recent announcement by Governor Spitzer to overturn existing State authentication procedures for acquiring drivers licenses.

First though, I would like to commend you for holding this hearing. The Governor's decision to alter the procedures and required documents for obtaining a New York State Driver's License has a significant impact on the security of New York State and our country as a whole. The consequences of such a policy change should be brought before the State Legislature for consideration and debate.

As Chairman and now Ranking Member of the House Committee on Homeland Security, I have spent a great deal of time examining the role of identification documents in ensuring the safety of our country, from how to enhance document security; verify and authenticate identity; to how terrorists may acquire and use these documents to remain in the United States, travel, coordinate with one another, as well as raise money. Birth certificates, green cards, and especially driver's licenses are sought after by terrorists as a means for establishing a foothold in the United States.

As I understand it, the proposed change removes the requirements originally implemented by Governor Pataki that all driver's license applicants provide a valid social security number (SSN) or a letter from the Social Security Administration stating why the individual is not eligible for a SSN but should still be eligible for a driver's license. Such requirements provide another layer of security by making it more difficult for unknown

individuals and those who have violated the terms of their visa to acquire a license. The suggestion that we should simply ignore illegal presence in the United States opens a significant security loophole.

Under Governor Spitzer's new proposal, rather than using a database to check the authenticity of a social security number, the Department of Motor Vehicles (DMV) would have perform an inspection to determine if a foreign passport is legitimate without having the social security number check as a backup.

Thus we must remember that this debate is broader than road safety and insurance rates. Driver's licenses have become the de facto national identification card. They are accepted during travel, for business transactions, to open bank accounts, and to rent vehicles and purchase homes. The security of these documents and determining who should and should not have access is critically important.

In 2003, the 9/11 Commission recommended the United States improve its system for issuing secure identification documents. The Commission specifically stressed the importance of setting standards for issuing driver's licenses. On year later, Congress passed the REAL ID Act (P.L. 109-13) to address the Commission's recommendation. REAL ID is a nationwide effort to prevent terrorism, counter fraud and improve the accuracy of identification documents issued by the States. I am currently working with the Department and my colleagues in Congress to facilitate the implementation of this law and to ensure that Federal support is available to States to assist in the implementation.

At this very moment, while the Federal government is trying to strengthen the security of identification documents, the Governor is taking a giant step backwards by lowering the standards. This should cause each and every one of us great concern.

The 9/11 terrorists obtained drivers licenses from States with the weakest laws, acquiring a total of 28 state-issued identification documents or drivers' licenses (with four

additional issued as duplicates), six of which we know were used at ticket counters on the morning of September 11, 2001.

In August 2005, the Center for Immigration Studies (CIS) issued a report on the immigration status violations of known terrorists. “Of the 94 known foreign-born terrorists who operated in the United States between 1993 and 2004, two-thirds of them committed immigration fraud prior to or as part of their terrorist activities.” This shows that terrorists are well versed in our immigration laws and how to exploit loopholes to remain in the U.S., such as acquiring identification documents.

Today, over six years after 9/11, New York remains a top terrorist target. We have already experienced two attacks and have prevented others through intelligence gathering and the hard work of our law enforcement personnel. There are serious consequences from allowing unknown and undocumented persons to acquire legitimate driver’s licenses and, therefore I must oppose the Governor’s proposal. Again, I would like to thank you Mr. Chairman for your review of this issue which impacts the security of New York, as well as the rest of the nation.